

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**DYNAMIC ENERGY, INC., A JOINT AND/OR  
SINGLE EMPLOYER WITH M&P SERVICES, INC.**

**and**

**Case 9-CA-45772**

**UNITED MINE WORKERS OF AMERICA, AFL-CIO**

**ORDER<sup>1</sup>**

The petition to revoke subpoena duces tecum B-569556 filed by Dynamic Energy, Inc. and M&P Services, Inc. is denied.<sup>2</sup> The subpoena seeks information relevant to the matters under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Petitioner has failed to establish any other legal basis for revoking the subpoena. See generally *NLRB v. North Bay Plumbing, Inc.* 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., November 3, 2010

WILMA B. LIEBMAN,	MEMBER
CRAIG BECKER,	MEMBER
BRIAN E. HAYES,	MEMBER

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<sup>1</sup> The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

<sup>2</sup> In denying the petition to revoke, we have evaluated the subpoena in light of the Region's restriction of its request for corporate filings and license applications to those made in the past 5 years, and its offer to, upon request, send a Board agent to the Employer's facilities to examine requested documents.